

**United States District Court  
Northern District of Indiana  
Hammond Division**

INDIANA RECYCLING & RENEWABLE )  
FUELS LLC d/b/a ILLINOIS RECYCLING & )  
RENEWABLE FUELS, )  
 )  
Plaintiff, )  
 )  
v. ) Civil Action No. 2:16-CV-272 JVB  
 )  
EARTH MANAGEMENT SERVICES OF )  
ILLINOIS INC., CHICAGO HEIGHTS LAND )  
MANAGEMENT INC., and ROBERT FOX, )  
 )  
Defendants. )

**ORDER**

This matter is before the Court on the parties' joint stipulation for an order granting Defendants' motion to dismiss for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6) and to dismiss Count II of Plaintiff's complaint with prejudice (DE 37). The parties previously stipulated to the dismissal of Count I, the only other count of the complaint.

In accordance with the parties' stipulation, the Court:

1. **GRANTS** Defendants' motion to dismiss (DE 16); and
2. **DISMISSES** Count II of the complaint with prejudice.

SO ORDERED on March 31, 2017.

s/ Joseph S. Van Bokkelen  
Joseph S. Van Bokkelen  
United States District Judge